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By:

Karen M. Forsyth



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : Sudhendu Rai, et al.

TITLE : METHOD FOR DETERMINING
OPTIMAL BATCH SIZES FOR
PROCESSING PRINT JOBS IN A
PRINTING ENVIRONMENT

APPLICATION NO. : 09/767,976

FILED : January 23, 2001

CONFIRMATION NO. : 2225

EXAMINER : Minh H. Chau

ART UNIT : 2854

ALLOWED : July 14, 2004

ATTORNEY DOCKET NO. : A0805
XERZ 2 00555

RESPONSE TO STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Mail Stop Issue Fee

Dear Sir:

Applicants gratefully acknowledge the indication as to the allowance of the present application.

However, applicants respectfully submit the Statements of Reasons for Allowance as stated in the Office Action of April 2, 2004 are, in and of themselves, inappropriate. It is noted that the reasons for allowance are only warranted in instances in which " The record of the prosecution as a whole does not make clear his or her reasons for allowing a claim or claims." (37 CFR §1.104(e)(2001)). In the present case, applicants believe the record as a whole does make the reasons for

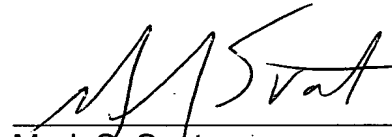
allowance clear and, therefore, no statement by the Examiner is necessary or warranted. Furthermore, the applicants do not necessarily agree with each statement in the reasons for allowance.

Specifically, it has been indicated that the claims are allowed by importing interpretations into the claims in relation to the prior art that results in a potential imprecise and/or inaccurate understanding of the reasons. This places an unwarranted interpretation upon the claims. Such a characterization of the claims does not properly take into account applicants' claimed invention as reflected in the specification and the applicants' responses to the Examiner's office actions.

Therefore, while applicants believe the claims are allowable, applicants do not acquiesce that patentability resides in only the features, exactly as expressed in the claims, nor that each feature is required for patentability.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & MCKEE, LLP



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CERTIFICATE OF EXPRESS MAILING UNDER 37 CFR 1.10

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I hereby certify that the attached Fee(s) Transmittal Form, Issue Fee, Publication Fee, Response to Statement of Reasons for Allowance and "Fee Address" Indication Form are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Karen M. Forsyth
(Typed or Printed Name of Sender)

Karen M. Forsyth 7-30-04
Signature Date